



U.S. Department of Justice

*United States Attorney
Southern District of New York**86 Chambers Street
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July 15, 2025

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MEMORANDUM ENDORSEDVIA ECF

Hon. Gregory H. Woods
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

**Re: *Kathryn O. Greenberg Immigration Justice Clinic v. ICE, et ano.*,
No. 24 Civ. 8542 (GHW)**

Dear Judge Woods:

This Office represents Immigration and Customs Enforcement (“ICE”) and the Department of Homeland Security (“DHS”) (together with ICE, the “Government”) in the above-referenced Freedom of Information Act (“FOIA”) action. We write jointly on behalf of the Government and plaintiff the Kathryn O. Greenberg Immigration Justice Clinic (together, the “Parties”) in accordance with the Court’s November 18, 2024, and April 3, 2025, orders, ECF Nos. 10 & 25, and in connection with the Initial Pre-Trial Conference that is currently scheduled for July 22, 2025. The Parties respectfully request that in light of the discussions that the parties are having regarding a possible resolution of this matter, outlined below, the Court adjourn the conference for 45 days. Additionally, counsel for the Government is scheduled to be on a long-planned vacation out of the country on the currently scheduled date of the conference.¹

This case relates to a FOIA request that Plaintiff sent to the Government on September 24, 2024. Plaintiff filed this action on November 11, 2024. ECF No. 1. The Court scheduled an initial pre-trial conference for February 18, 2025. ECF No. 10. The Government previously submitted three requests to extend the Government’s time to file an answer and adjourn the conference to allow time for the Government to complete its production of records in response to the FOIA request, and for the Parties to engage in discussions about the records produced. ECF Nos. 19, 22, 24. The Government answered the complaint on May 28, 2025. ECF No. 29.

ICE produced records in response to the FOIA request in January and February 2025. Since the Government’s last extension request, the Government has had a number of phone calls and email exchanges with counsel for Plaintiff answering questions regarding the search conducted and the records produced. On July 3, 2025, Plaintiff made a proposal regarding a further search that it would like ICE to perform to resolve the remaining issues in this matter. The Government is considering this proposal and anticipates making a counter-proposal next week.

The Parties respectfully request that the Court adjourn the initial pre-trial conference that is currently scheduled for July 24 for at least 45 days to allow the Parties’ discussions about next steps in this litigation to continue. Because this is a FOIA case, the parties understand Local Civil Rule 16.1 to exempt them from the requirement of a mandatory scheduling order under Federal

¹ The Assistant United States Attorney previously handling this matter is no longer with the United States Attorney’s Office.

Rule of Civil Procedure 16(b). Accordingly, the Parties request that they not be required to submit a proposed case management plan, *see* ECF No. 25, and instead propose submitting a joint status report in advance of the new conference date to apprise the court of the status of the Parties' discussions and proposed next steps in this litigation.

We thank the Court for its consideration of this letter.

Respectfully submitted,

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Application granted. The initial pretrial conference scheduled for July 22, 2025 is adjourned to September 16, 2025 at 1:00 p.m. The joint status letter described in the Court's November 18, 2024 order is due no later than September 9, 2025. The parties need not submit a proposed case management plan. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 30.

SO ORDERED.

Dated: July 16, 2025
New York, New York


GREGORY H. WOODS
United States District Judge